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SECTION 102 APPLICABILITY

[A] 102.1 Construction and design provisions.

The construction and design provisions of this code shall apply to:

1. Structures, facilities and conditions arising after the adoption of this code.
2. Existing structures, facilities and conditions not legally in existence at the time of adoption of this code.
3. Existing structures, facilities and conditions where required in Chapter 11.
4. Existing structures, facilities and conditions that, in the opinion of the *fire code official*, constitute a distinct hazard to life or property.

[A] 102.2 Administrative, operational and maintenance provisions.

The administrative, operational and maintenance provisions of this code shall apply to:

1. Conditions and operations arising after the adoption of this code.
2. Existing conditions and operations.

[A] 102.3 Change of use or occupancy.

Changes shall not be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this code and the *International Building Code*. Subject to the approval of the *fire code official*, the use or occupancy of an existing structure shall be allowed to be changed and the structure is allowed to be occupied for purposes in other groups without conforming to all of the requirements of this code and the *International Building Code* for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

[A] 102.4 Application of building code.

The design and construction of new structures shall comply with the *International Building Code*, and any alterations, additions, changes in use or changes in structures required by this code, which are within the scope of the *International Building Code*, shall be made in accordance therewith.

[A] 102.5 Application of residential code.

Where structures are designed and constructed in accordance with the *International Residential Code*, the provisions of this code shall apply as follows:

1. Construction and design provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access and water supplies. Where interior or exterior systems or devices are installed, construction permits required by Section 105.7 of this code shall apply.
2. Administrative, operational and maintenance provisions of this code shall apply.

[A] 102.6 Historic buildings.

The provisions of this code relating to the construction, *alteration*, repair, enlargement, restoration, relocation or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as historic buildings where such buildings or structures do not constitute a distinct hazard to life or property. Fire protection in designated historic buildings shall be provided with an *approved* fire protection plan as required in Section 1103.1.1.

[A] 102.7 Referenced codes and standards.

The codes and standards referenced in this code shall be those that are listed in Chapter 80, and such codes and standards shall be considered to be part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2.

[A] 102.7.1 Conflicts.

Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

[A] 102.7.2 Provisions in referenced codes and standards.

Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

[A] 102.8 Subjects not regulated by this code.

Where applicable standards or requirements are not set forth in this code, or are contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire

Protection Association or other nationally recognized fire safety standards, as approved, shall be deemed as *prima facie* evidence of compliance with the intent of this code. Nothing herein shall derogate from the authority of the *fire code official* to determine compliance with codes or standards for those activities or installations within the *fire code official's* jurisdiction or responsibility.

[A] 102.9 Matters not provided for.

Requirements that are essential for the public safety of an existing or proposed activity, building or structure, or for the safety of the occupants thereof, that are not specifically provided for by this code, shall be determined by the *fire code official*.

[A] 102.10 Conflicting provisions.

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in a specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

[A] 102.11 Other laws.

The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

[A] 102.12 Application of references.

References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.